6954467/2023/VIG-I-PRR01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – PR&RD Department - Allegation of irregularities in execution of the work " construction of Veterinary Poly Clinic Centre in Vizianagaram District" executed by Panchayat Raj Engineering Department – Disciplinary proceedings against Sri D. Chinnam Naidu, the then Assistant Executive Engineer, PIU Sub-Division, Bogapuram, Vizianagaram District and presently working as Mandal Engineering Officer, MPP, Pachipenta Mandal, erstwhile Vizianagaram District and presently Parvatipuram Manyam District under Rule 20 of the A.P. Civil Services (CC&A) Rules, 1991 – Article of Charge - Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Rt.No.44 **Dated:02 .02.2023.**

Read :

G.O.Rt.No.41, PR&RD (Vig. I) Department, Dt:02.02.2023.

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ORDER:

It is proposed to hold an inquiry against Sri D. Chinnam Naidu, the then Assistant Engineer, PIU Sub-Division, Bhogapuram, Vizianagaram District and presently working as Mandal Engineering Officer, MPP, Pachipenta Mandal, erstwhile Vizianagaram District and presently Parvatipuram Manyam District in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charge (Annexure-I and II). A list of documents by which, and a list of witnesses by whom, the article of charge are proposed to be sustained are also enclosed (Annexure III and IV).

3. Sri D. Chinnam Naidu, the then Assistant Executive Engineer, PIU Sub-Division, Bhogapuram, Vizianagaram District and presently working as Mandal Engineering Officer, MPP, Pachipenta Mandal, erstwhile Vizianagaram District and presently Parvatipuram Manyam District, is directed to submit a Written statement of his defence within 10 days of the receipt of this order.

4. Sri D. Chinnam Naidu, the then Assistant Executive Engineer, PIU Sub-Division, Bhogapuram, Vizianagaram District and presently working as Mandal Engineering Officer, MPP, Pachipenta Mandal, erstwhile Vizianagaram District and presently Parvatipuram Manyam District, is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He, should, therefore, specifically admit or deny each article of charge.

5. Sri D. Chinnam Naidu, the then Assistant Executive Engineer, PIU Sub-Division, Bogapuram, Vizianagaram District and presently working as Mandal Engineering Officer, MPP, Pachipenta Mandal, erstwhile Vizianagaram District and presently Parvatipuram Manyam District, is further informed that if he does not submit his written statement of defence on or before the date

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specified in para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex parte.

6. Sri D. Chinnam Naidu, the then Assistant Executive Engineer, PIU Sub-Division, Bhogapuram, Vizianagaram District and presently working as Mandal Engineering Officer, MPP, Pachipenta Mandal, erstwhile Vizianagaram District and presently Parvatipuram Manyam District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the order be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B. RAJ SEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri D. Chinnam Naidu, the then Assistant Executive Engineer, PIU Sub-Division, Bhogapuram, Vizianagaram District and presently working as Mandal Engineering Officer, MPP, Pachipenta Mandal, erstwhile Vizianagaram District and presently Parvatipuram Manyam District

through Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Vijayawada.

The Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Vijayawada (with a request to serve the charges on the individual and furnish a served copy to Govt.,)

Copy to:-

The P.R. & R.D (Estt. I) Department.
The OSD to Hon'ble Dy.C.M for PR&RD.,
The PS to Special Chief Secretary to Govt, PR&RD. Department.
SF/SC.

//FORWARDED::BY::ORDER//

SECTION OFFICER

6954467/2023/VIG-I-PRR01

ANNEXURE – I

STATEMENT SHOWING THE ARTICLE OF CHARGE FRAMED AGAINST SRI D. CHINNAM NAIDU, THE THEN ASSISTANT EXECUTIVE ENGINEER, PIU SUB-DIVISION, BHOGAPURAM, VIZIANAGARAM DISTRICT AND PRESENTLY WORKING AS MANDAL ENGINEERING OFFICER, MPP, PACHIPENTA MANDAL, ERSTWHILE VIZIANAGARAM DISTRICT AND PRESENTLY PARVATIPURAM MANYAM DISTRICT

Charge:

Sri D. Chinnam Naidu, the then Assistant Executive Engineer, PIU Sub-Division, Bhogapuram, Vizianagaram District and presently working as Mandal Engineering Officer, MPP, Pachipenta Mandal, erstwhile Vizianagaram District and presently Parvatipuram Manyam District has failed to assess the time lost on account of contractor's fault and recommended for sanction of EOAT for 90 days out of which 35 days were sanctioned on account of false reasons, in execution of work " construction of Veterinary Poly Clinic Centre in Vizianagaram District" executed by Panchayat Raj Engineering Department, while he was working as Assistant Engineer, PIU Sub-Division, Bhogapuram, Vizianagaram District.

By his above mentioned acts, Sri D. Chinnam Naidu, the then Assistant Executive Engineer, PIU Sub-Division, Bogapuram, Vizianagaram District and presently working as Mandal Engineering Officer, MPP, Pachipenta Mandal, erstwhile Vizianagaram District and presently Parvatipuram Manyam District failed to discharge his duties for lack of devotion to duty, lack of integrity and for not taking all possible steps to ensure the integrity and devotion to duty of Govt. servants for the time being under his control and authority and thereby contravened Rule 3(1), 3 (2) and 3 (5) of APCS(Conduct) Rules,1964.

Hence the charge.

B. RAJ SEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED::BY::ORDER//

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ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF THE ARTICLE OF CHARGE FRAMED AGAINST SRI D. CHINNAM NAIDU, THE THEN ASSISTANT EXECUTIVE ENGINEER, PIU SUB-DIVISION, BOGAPURAM, VIZIANAGARAM DISTRICT AND PRESENTLY WORKING AS MANDAL ENGINEERING OFFICER, MPP, PACHIPENTA MANDAL, ERSTWHILE VIZIANAGARAM DISTRICT AND PRESENTLY PARVATIPURAM MANYAM DISTRICT

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The Director General, Vigilance & Enforcement Department in Vigilance Report No.20-(C.No.93/V&E/ENGG/2018-1) dated.18.07.2022 has informed that based on certain allegation petition, the Vigilance & Enforcement Department have enquired into the execution of the work "construction of Veterinary Poly Clinic Centre in Vizianagaram district" executed by Panchayat Raj Engineering Department. The Government vide G.O.Rt.NO.460, Animal Husbandry, Dairy Development & Fisheries (AH.III) Department, dt: 08.11.2013, among others, have accorded administrative sanction for constitution of one Poly Clinic Centre building for Vizianagaram District under RIDF XIX Grant. The field engineers prepared estimate for Rs.400.00 lakhs with SSR 2013-14 on 31.03.2015. The CE, NABARD & RIAD, PR Department accorded technical sanction on 12.05.2015.The Director, Animal Husbandry given consent on 12.05.2015 to take up the construction of building in existing veterinary hospital building in Vizianagaram. The Superintending Engineer, PR, Vizianagaram invited tenders on 14.5.2015 and one Sri M.V.S. Surya Prakash, Vizianagaram stood as qualified bidder and accordingly, the C.E, PR approved the tender on 4.9.2015.

2. The Director General, Vigilance & Enforcement Department has informed that thereafter the Superintending Engineer, PR, Vizianagaram addressed a letter dt: 21.9.2015 to the above bidder to conclude the agreement within 15 days. In the meantime, the Joint Director, Animal Husbandry, Vizianagaram handed over the site to the S.E., PR with no objection certificate for demolishing of existing building, vide letter dt: 26.9.2015. As there was no response, the another notice was issued to the Bidder to conclude the agreement on 11.12.2015. The Successful Bidder viz., Sri MVS Surya Prakash, Contractor addressed the S.E, PR on 2.3.2016 and requested to keep the tender in force till March, 2016 due to non availability of structural drawings with the Department. The Engineer-in-Chief, PR, approved the drawings for the buildings and communicated the same on 3.3.2016. The agreement was concluded on 17.3.2016 with the contractor and date of completion of work was fixed by 16.6.2017. The Executive Engineer, PIU Division, Vizianagaram issued notice dt: 17.9.2016 to the Contractor on slow progress of execution of work and another notice dt:7.3.2017. The Superintending Engineer, PR submitted working estimate for the work on 23.6.2017.

3. The DG, V&E has informed that the Contractor submitted EOAT proposals duly furnishing the reasons for delay are viz., dismantling of old structure, clearing of debris, non availability of drawing, non availability of sand and demonetization. As verified from the M.Book records, it was certified in Page 5 of M.Book No.7946-A dt: 18.3.2016 that the building was dismantled & un-useful debris was cleared and disposed off. Hence it was clear that on the very next day of agreement (ie, 17.3.2016), the dismantling of old building and clearing of debris was completed. Besides drawings were communicated on 03.03.2016 prior to agreement. Hence these two reasons

stated by the Contractor for slow progress were not correct. But the reasons stated by the Contractor were certified while submitting the EOAT proposals as genuine and recommended by the concerned AEE, Dy.EE and EE and thereafter the CE, PR granted EOAT for the work upto 14.9.2017.

4. The DG, V&E in his findings, among others has informed the follows :

S.No	Name of the Officer designation &present place of working	Lapses observed
1	Sri D. Chinnam Naidu, the then Assistant Executive Engineer, PIU Sub-Division, Bhogapuram, Vizianagaram District and presently working as Mandal Engineering Officer, MPP, Pachipenta Mandal, erstwhile Vizianagaram District and presently Parvatipuram Manyam District	He failed to assess the time lost on account of contractor's fault and recommended for sanction of EOAT for 90 days out of which 35 days were sanctioned on account of false reasons.

As seen from the findings of the Vigilance & Enforcement Department, Sri D. Chinnam Naidu, the then Assistant Executive Engineer, PIU Sub-Division, Bogapuram, Vizianagaram District and presently working as Mandal Engineering Officer, MPP, Pachipenta Mandal, erstwhile Vizianagaram District and presently Parvatipuram Manyam District failed to assess the time lost on account of contractor's fault and recommended for sanction of EOAT for 90 days out of which 35 days were sanctioned on account of false reasons.

By his above mentioned act, Sri D. Chinnam Naidu, the then Assistant Executive Engineer, PIU Sub-Division, Bogapuram, Vizianagaram District and presently working as Mandal Engineering Officer, MPP, Pachipenta Mandal, erstwhile Vizianagaram District and presently Parvatipuram Manyam District failed to discharge his duties for lack of devotion to duty, lack of integrity and for not taking all possible steps to ensure the integrity and devotion to duty of Govt. servants for the time being under his control and authority and thereby contravened Rule 3(1), 3 (2) and 3(5) of APCS(Conduct) Rules,1964.

Hence, the charge.

B. RAJ SEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED::BY::ORDER//

SECTION OFFICER

6954467/2023/VIG-I-PRR01

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE DRAFT ARTICLE OF CHARGE FRAMED AGAINST SRI D. CHINNAM NAIDU, THE THEN ASSISTANT EXECUTIVE ENGINEER, PIU SUB-DIVISION, BOGAPURAM, VIZIANAGARAM DISTRICT AND PRESENTLY WORKING AS MANDAL ENGINEERING OFFICER, MPP, PACHIPENTA MANDAL, ERSTWHILE VIZIANAGARAM DISTRICT AND PRESENTLY PARVATIPURAM MANYAM DISTRICT ARE PROPOSED TO BE SUSTAINED

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Vigilance Report No. 20 (C.No.93/V&E/ENGG/2018-1) dated.18-07-2022 of Director General, Vigilance & Enforcement Department.

B. RAJ SEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE DRAFT ARTICLE OF CHARGE FRAMED AGAINST SRI D. CHINNAM NAIDU, THE THEN ASSISTANT EXECUTIVE ENGINEER, PIU SUB-DIVISION, BOGAPURAM, VIZIANAGARAM DISTRICT AND PRESENTLY WORKING AS MANDAL ENGINEERING OFFICER, MPP, PACHIPENTA MANDAL, ERSTWHILE VIZIANAGARAM DISTRICT AND PRESENTLY PARVATIPURAM MANYAM DISTRICT ARE PROPOSED TO BE SUSTAINED

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- NIL -

B. RAJ SEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED::BY::ORDER//

SECTION OFFICER